

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 4610-01
BILL NO. HB 2089
SUBJECT: Offender Access to Personal Information
TYPE: Original
DATE: April 20, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue*	(\$82,893 to Unknown)	(\$82,893 to Unknown)	(\$82,893 to Unknown)
Total Estimated Net Effect on <u>All</u> State Funds*	(\$82,893 to Unknown)	(\$82,893 to Unknown)	(\$82,893 to Unknown)

* Unknown costs will likely exceed \$100,000 per fiscal year.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Agriculture, Coordinating Board for Higher Education, Office of State Courts Administrator, Department of Economic Development, Department of Elementary and Secondary Education, Department of Transportation, Department of Mental Health, Department of Natural Resources, Department of Health, Department of Labor and Industrial Relations, Department of Social Services, Department of Public Safety - Missouri National Guard, - Missouri Veterans' Commission, - Division of Fire Safety, - Division of Liquor Control, - Missouri Water Patrol, - Capitol Police, Office of Governor, Department of Insurance, Department of Conservation, Office of Lieutenant Governor, Office of State Treasurer, State Tax Commission, and the Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Revenue** assume the proposed legislation would have minimal administrative impact to their agency.

Officials from the **Office of Secretary of State** assume the proposal makes no exception for historic records. Current practice at the Missouri State Archives is to use prisoners to perform unskilled labor on "processing" large projects. Recently, Archives has used temporary workers to perform work that was immediately necessary to prevent filling and closing of the records satellite center. Based on actual work days, these temporary workers cost the state \$9.64 per hour. The prisoners were being paid \$10 per day. Five prisoners would cost \$12,350 per year. Five temporary workers would cost \$95,243 per year. The extra cost to the state by not allowing prisoners to work on historic records containing the names of Missouri citizens would be up to \$82,893, provided such an arrangement lasted an entire year.

Officials from the **Department of Corrections (DOC)** assume the proposal prohibits the DOC from allowing offenders access to any person's personal information including but not limited to, name, address, date of birth, social security number, driver's license number or medical records.

The DOC does not allow offenders access to any person's personal information excluding the names of employees. The DOC currently uses the employee name in a variety of work-related instances including, but not limited to:

- Employee ID tags while working in institutions
- Employee signature on documents such as conduct violations

The cost of implementing alternative methods is unknown but assumed to be in excess of

\$100,000 in initial costs.

ASSUMPTION (continued)

The DOC currently provides copies of the yellow pages from telephone directories in institutional libraries that include names and addresses of other persons. These directories may also include the names and addresses of employees. The cost to implement alternatives to this practice is again unknown, however, it would likely require additional FTE at each institution to assist inmates in obtaining the current mailing addresses of attorneys, social service agencies, etc. The impact resulting from ensuring no offender has access to any other person's personal information including name is expected to be in excess of \$100,000 as the DOC will have to provide alternatives to a number of procedures and practices related to identifying employees.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE			
<u>Costs - Office of Secretary of State</u>			
Increased labor costs	(\$82,893)	(\$82,893)	(\$82,893)
<u>Costs - Department of Corrections*</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE*	<u>(\$82,893 to Unknown)</u>	<u>(\$82,893 to Unknown)</u>	<u>(\$82,893 to Unknown)</u>

* Unknown costs will likely exceed \$100,000 per fiscal year.

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

DESCRIPTION

The proposed legislation would deny, persons in the custody of the Department of Corrections,

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access to any person's personal information held by any state agency.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Department of Agriculture
Coordinating Board for Higher Education
Office of Administration
Office of State Courts Administrator
Department of Economic Development
Department of Elementary and Secondary Education
Department of Transportation
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Health
Department of Labor and Industrial Relations
Department of Revenue
Department of Social Services
Department of Public Safety
Missouri National Guard
Missouri Veterans' Commission
Division of Fire Safety
Division of Liquor Control
Missouri Water Patrol
Capitol Police
Office of Governor
Missouri Consolidated Health Care Plan
Department of Insurance
Department of Conservation
Office of Lieutenant Governor
Office of Prosecution Services

RV:LR:OD:005 (9-94)

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SOURCES OF INFORMATION (continued)

Office of Secretary of State
Office of State Treasurer
State Tax Commission
Office of State Public Defender

**NOT RESPONDING: Office of Attorney General, Office of Administration, Missouri
Consolidated Health Care Plan, Office of Prosecution Services**

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "Jarrett".

Jeanne Jarrett, CPA
Director
April 20, 2000